

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------|---|-----------------------------|
| ERIC CRAFT, |) | |
| |) | |
| Petitioner, |) | Case No. 1:13-cv-26-SJM-SPB |
| |) | |
| v. |) | |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM ORDER

The instant petition for writ of habeas corpus was received by the Clerk of Court on December 13, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Report and Recommendation, filed on March 19, 2013 [9], recommends that the instant petition for writ of habeas corpus be dismissed without prejudice for failure to prosecute. Petition was given fourteen (14) days from the date of service in which to file any objections. Service was made on Petitioner by certified mail at FCI-McKean, where he is currently incarcerated. No objections to the Report and Recommendation have been filed to date.

After de novo review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 10th Day of April, 2013;

IT IS ORDERED that the instant petition for writ of habeas corpus shall be, and hereby is, DISMISSED without prejudice for Petitioner's failure to prosecute.

The Report and Recommendation of Magistrate Judge Baxter, filed on March 19, 2013 [9], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

Cm: All parties of record.

U.S. Magistrate Judge Susan Paradise Baxter